

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ROBERT DORAN, et al.,

Plaintiffs,

15-cv-7217 (PKC)

-against-

ORDER

N.Y.S. OFFICE OF THE MEDICAID  
INSPECTOR GENERAL, et al.,

Defendants.

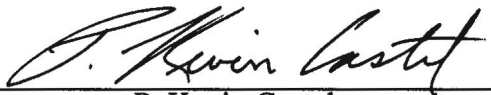
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CASTEL, U.S.D.J.:

This action asserts claims as to denial of promotions to six positions over seven years, as well as other alleged discriminatory and retaliatory acts relating to the four plaintiffs. The notion that defendants' counsel can safely and comfortably predict (as he did in his letter of October 18, 2021) that this case is appropriate for resolution on a motion for summary judgment and will have not a single genuine issue of material fact after production of 25,000 documents and 15 depositions suggests either that at least some of the depositions noticed by defendants are unnecessary or the prediction is without a basis in fact or law. The Court's denial of the stay of expert discovery is without prejudice to renewal of the application after the parties get a better handle on this case, now over six years old.

From the reference to the other unrelated matters that are occupying the time of both plaintiffs' counsel and defendants' counsel, this ancient case is not a priority to either side. Both sides should stop wasting time and money and settle the matter. Or is one side or the other's strategy to keep the case alive until all plaintiffs—or perhaps all defendants—retire? The matter has been to mediation numerous times since 2017 with the last trip to a mediation over a year ago.

All plaintiffs, all individual defendants and Acting Medicaid Inspector General Frank T. Walsh, Jr. shall personally appear before the undersigned for an all-day mediation in Courtroom 11D of 500 Pearl Street at 11 a.m. on December 21, 2021.

SO ORDERED.

  
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P. Kevin Castel  
United States District Judge

Dated: New York, New York  
November 5, 2021